IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Omer Gurpinar	§	Art Unit:	2416
		§		
Serial No.:	10/726,288	§		
		§	Examiner:	Feben Haile
Filed:	December 2, 2003	§		
		§		
For:	Method and Apparatus and Program Storage	§	Atty. Dkt. No.:	94.0057
	Device for Generating a Workflow in Response	§		(SHF.0002US)
	to a User Objective and Generating Software	§		
	Modules in Response to the Workflow and	§		
	Executing the Software Modules to Produce a	§		
	Product	§		

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<u>PRE-APPEAL BRIEF REQUEST FOR REVIEW</u>

Dear Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

It is respectfully that the anticipation rejection of independent claim 1 over Dusevic is clearly erroneous.

Specifically, it is clear that Dusevic fails to disclose the following elements of claim 1, when considered in conjunction with the other elements of claim 1:

- automatically selecting a first subset of software modules of a first tool and a second subset of software modules of a second tool in response to the first workflow;

- executing one or more software modules of the first subset on a processor in response to said first set of input data;

- executing one or more software modules of the second subset on said processor in response to output from the one or more software modules of the first subset.

With respect to the "executing" elements of claim 1, the Office Action cited the following passage of Dusevic: p. 5, ¶ [0043].   This cited passage of Dusevic refers to implementing software for enabling a task-centric online environment. However, there is no hint given in this passage of Dusevic "executing one or more software modules **of the first subset** on a processor in response to said first set of input data," and "executing one or more software modules **of the second subset** on said processor in response to output from the one or more software modules of the first subset." Paragraph [0043] of Dusevic refers to "software" for enabling a task-centric online environment—there is no hint given here of executing software of the first subset in response to a first set of input data selected from one or both of wellbore data and reservoir data, and executing software of a second subset in response to the output of the software of the first subset.

Moreover, the Office Action provided **no** explanation regarding how software of the **second subset** is executed **in response to** the output of the software of the **first subset**. In the rejection, the Office Action cited ¶ [0103] of Dusevic as purportedly disclosing selecting a first subset of software modules of a first tool, and cited ¶ [0110] of Dusevic as purportedly disclosing selecting a second subset of software modules of a second tool. Paragraph [0103] refers to an Application A Project Creation task, which causes various subtasks to be generated. Paragraph [0110] refers to selecting an Application S Project Creation task, which causes other subtasks to be displayed.

The tasks of ¶¶ [0103] & [0110] refer to tasks of different applications (Application A and Application S)—however, there is no hint given in Dusevic that software modules associated with these applications are executed with the specific relationship specified in claim 1. In other words, there is no teaching in Dusevic that software module(s) of Application S (equated by the Office Action with the "second subset" of claim 1) is executed in response to output of the software module(s) of Application A (equated by the Office Action with the "first subset" of claim 1).

In view of the foregoing, it is clear that claim 1 is not anticipated by Dusevic.

Independent claims 3, 5, 7, 10, and 13 are similarly allowable over Dusevic.

Dependent claims are allowable for at least the same reasons as corresponding independent claims.

In view of the foregoing, withdrawal of the final rejection and allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (SHF.0002US).

Respectfully submitted,

Date: July 15, 2009   /Dan C. Hu/
                                                    Dan C. Hu
                                                    Registration No. 40,025
                                                    TROP, PRUNER & HU, P.C.
                                                    1616 South Voss Road, Suite 750
                                                    Houston, TX 77057-2631
                                                    Telephone: (713) 468-8880
                                                    Facsimile: (713) 468-8883